

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
OCT 10 2013
BY DAVID J. MALAND, CLERK
DEPUTY

UNITED STATES OF AMERICA §
 §
v. § No. 4:13CR104
 § Judge Schell
LUCY LEE-SHONE SMITH (7) §

FACTUAL STATEMENT

It is hereby stipulated and agreed by the defendant, **Lucy Lee-Shone Smith (Smith)**, that the following facts are true and correct and that she understands and agrees, with express consent of her counsel, Mac Morris, that this Factual Statement may be used by the Court to determine whether her plea is voluntary and knowing and by the probation officer and the Court to determine an appropriate sentence for the offenses to which she is pleading guilty:

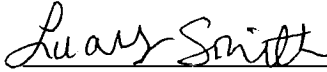
1. Bank of America, Compass Bank, Wachovia, Washington Mutual, JP Morgan Chase Bank, Woodforest National Bank, First Convenience Bank, and Wells Fargo Bank (collectively Financial Institutions) were financial institutions insured by the Federal Deposit Insurance Corporation (FDIC).
2. Between approximately January 11, 2008, and approximately March 15, 2011, in the Eastern District of Texas and elsewhere, **Smith** used 19 difference social security numbers to open at least 45 accounts at Financial Institutions.
3. Between approximately May 7, 2009, and approximately May 12, 2009, in the Eastern District of Texas and elsewhere, **Smith** entered multiple Bank of American banking centers and cashed at least 17 checks written to herself and drawn from her Compass Bank account.

4. Smith knew the checks were worthless but that Bank of America would cash the checks before verifying funds.
5. As a result of **Smith's** actions during the conspiracy, Bank of America sustained a loss of more than \$40,000.
6. **Smith's** actions placed Bank of America at risk of civil liability and financial loss.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

I have read this Factual Statement and the Indictment or have had them read to me and have discussed them with my attorney. I fully understand the contents of this Factual Statement and agree without reservation that it accurately describes the events and my acts.

Dated: _____




Lucy Lee-Shone Smith
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

I have read this Factual Statement and the Indictment and have reviewed them with my client. Based upon my discussions with my client, I am satisfied that she understands the Factual Statement as well as the Indictment, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: 9.13.13



Mac Morris
Attorney for Defendant